

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

ALASKA COMMUNITY ACTION ON  
TOXICS, AMERICAN ALPINE CLUB,  
CALIFORNIA WILDERNESS COALITION,  
CENTER FOR BIOLOGICAL DIVERSITY,  
CENTER FOR ENVIRONMENTAL  
HEALTH, CENTER FOR FOOD SAFETY,  
ENVIRONMENT AMERICA,  
ENVIRONMENTAL DEFENSE FUND,  
ENVIRONMENTAL PROTECTION  
INFORMATION CENTER, FOOD AND  
WATER WATCH, FRIENDS OF THE  
EARTH, NATIONAL PARKS  
CONSERVATION ASSOCIATION,  
NATIONAL WILDLIFE FEDERATION,  
OCEAN CONSERVANCY, RIO GRANDE  
INTERNATIONAL STUDY CENTER,  
SOUTHERN UTAH WILDERNESS  
ALLIANCE, WE ACT FOR  
ENVIRONMENTAL JUSTICE, WESTERN  
WATERSHEDS PROJECT, THE  
WILDERNESS SOCIETY, and WINTER  
WILDLANDS ALLIANCE,

Plaintiffs,

v.

COUNCIL ON ENVIRONMENTAL  
QUALITY, and MARY NEUMAYR, in her  
official capacity as Chair of the council on  
Environmental Quality,

Defendants.

Case No. 3:20-cv-5199-RS

**DEFENDANTS' RESPONSE TO  
ADMINISTRATIVE MOTION TO  
RELATE CASES**

Judge: Hon. Richard Seeborg

On September 4, 2020, plaintiffs in a separately filed case, *State of California et al. v. Counsel on Environmental Quality (CEQ)*, No. 3:20-cv-06057 KAW (N.D. Cal. filed on Aug. 28, 2020), filed an administrative motion seeking to relate *State of California v. CEQ* to this

1 case. ECF No. 17. Both cases challenge the CEQ's final rule revising the agency's National  
2 Environmental Policy Act (NEPA) regulations, 85 Fed. Reg. 43,304 (July 16, 2020). Without  
3 waiving any otherwise applicable defenses, Federal Defendants do not oppose Plaintiffs' motion  
4 to relate.

5  
6 Respectfully submitted this 8th day of September, 2020.

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8 Assistant Attorney General  
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13 /s/ Barclay T. Samford

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